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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

KI, INC., on behalf of itself and all others similarly situated Plaintiff, v. SONY CORPORATION; et al. Defendants.) Case No.: C 09-05197 EMC)) CLASS ACTION)) STIPULATION RE EXTENSION OF TIME) FOR DEFENDANT TO RESPOND TO) COMPLAINT; [PROPOSED] ORDER) EXTENDING TIME TO RESPOND TO) COMPLAINT))))
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1 WHEREAS the undersigned plaintiff has filed the above-captioned case;

2 WHEREAS plaintiff alleges antitrust violations by manufacturers, distributors, and
3 sellers of Optical Disk Drives and products containing Optical Disk Drives (collectively
4 “ODD products”);

5 WHEREAS at least four complaints have been filed to date in federal district courts
6 throughout the United States by plaintiffs purporting to bring class actions on behalf of
7 direct purchasers alleging antitrust violations by manufacturers, distributors, and sellers of
8 ODD products (collectively “the ODD Cases”);

9 WHEREAS plaintiff anticipates the possibility of Consolidated Amended Complaints
10 in the ODD Cases;

11 WHEREAS plaintiff and Sony Optiarc America, Inc. (“SOA”) have agreed that an
12 orderly schedule for any response to the pleadings in the ODD Cases would be more
13 efficient for the parties and for the Court;

14 WHEREAS plaintiff agrees that the deadline for SOA to answer, move, or otherwise
15 respond to its Complaint shall be extended until the earliest of the following dates: (1) forty-
16 five days after the filing of a Consolidated Amended Complaint in the ODD Cases; or (2)
17 forty-five days after plaintiff provides written notice to SOA that plaintiff does not intend to
18 file a Consolidated Amended Complaint; or (3) any earlier response date to
19 which SOA agrees or by which it is ordered to respond in any ODD case;

20 WHEREAS this Stipulation does not constitute a waiver by SOA of any defense,
21 including but not limited to the defenses of lack of personal jurisdiction, subject matter
22 jurisdiction, improper venue, sufficiency of process or service of process;

23 PURSUANT TO LOCAL RULE 6-1(a), PLAINTIFF AND DEFENDANT
24 SOA, BY AND THROUGH THEIR RESPECTIVE
25 COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

26 1. The deadline for SOA to answer, move, or otherwise respond to plaintiff's
27 Complaint shall be extended until the earliest of the following dates: (1) forty-five days after
28

1 the filing of a Consolidated Amended Complaint in the ODD Cases; or (2) forty-five days
2 after plaintiff provides written notice to SOA that plaintiff does not intend to file a
3 Consolidated Amended Complaint; or (3) any earlier response date to which SOA agrees or
4 by which it is ordered to respond in any ODD case.

5 2. This Stipulation does not constitute a waiver by SOA or any other named
6 defendant joining the Stipulation of any defense, including but not limited to the defenses of
7 lack of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of
8 process or service of process.

9 DATED: November 23, 2009

Respectfully submitted,

10
11 By: /s/

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Attorneys for Plaintiff KI, Inc.

DATED: November 23, 2009

/s/

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Attorneys for Defendant Sony Optiarc America, Inc.

ATTESTATION

I, Linda M. Fong, the ECF User whose identification and password are being used to electronically file this document hereby attest, in compliance with General Order 45.X.B, that John F. Cove has concurred in its filing and that Mr. Cove's signature, indicated by a conformed signature ("/s/") within this e-filed document, will be kept on file.

DATED: November 23, 2009

/s/

Linda M. Fong

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/23/09



~~Honorable Vaughn R. Walker~~
~~United States District Court Judge~~
Edward M. Chen, U.S. Magistrate Judge

PROOF OF SERVICE

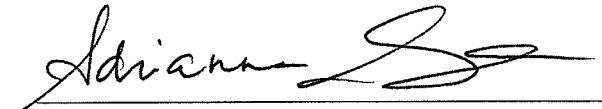
I, Adrianna D. Gutierrez, declare that I am over the age of eighteen (18) and not a party to the within action. I am employed in the law firm of Kaplan Fox & Kilsheimer LLP, 350 Sansome Street, San Francisco, California 94104.

On November 23, 2009, I served the following document(s):

**STIPULATION RE EXTENSION OF TIME FOR DEFENDANT
TO RESPOND TO COMPLAINT; [PROPOSED] ORDER
EXTENDING TIME TO RESPOND TO
COMPLAINT**

The ECF system is designed to send an e-mail message to all parties in the case, which constitutes service.

Executed November 23, 2009, at San Francisco, California.


Adrianna D. Gutierrez